

### **REMARKS/ARGUMENTS**

The Office action mailed on January 19, 2007 has been carefully reviewed and the above identified amendments have been provided to thoroughly address each of the rejections provided by the examiner in that Office action. In addition, the following remarks are submitted to clarify and explain the importance of the above amendments and to support a finding by the examiner that the claims, as amended, are now in a form warranting allowance of this case. Accordingly, the undersigned respectfully requests reconsideration by the examiner in this case.

The examiner had provisionally rejected claims 1-5, 12-21, 23-29 and 31-37 based on nonstatutory obviousness-type double patenting relating to certain claims of copending Application No. 10/731,628. To overcome this provisional rejection, a terminal disclaimer is included herein. Accordingly, claims 1-5, 12-21, 23-29 and 31-37 are now in a form overcoming this double patenting rejection.

The examiner had rejected claims 1-11, 17-24, 26-32 and 36-40 under 35 U.S.C. §102(b) as being anticipated by Maumy. Applicant has canceled each of these claims, thus overcoming this rejection.

The examiner had also rejected claims 1-5, 8, 9, 11, 17-21, 26-29, 31, 32, 36 and 37 under §102(b) as being anticipated by Tager. These claims are a subset of the claims identified as being canceled above. Accordingly, each of these claims rejected by the examiner based on Tager have been canceled.

Claims 12-16, 25 and 33-35 were only rejected provisionally based on obviousness-type double patenting. With the terminal disclaimer included herein, applicant respectfully submits that these claims are now in a form warranting allowable status. Because these claims are all dependent claims, they have been rewritten to be placed in independent form and including the limitations of their base claim and any intervening claims.


In particular, claim 12 has been amended to include the requirements of claims 1 and 11 and to be placed in independent form. Claims 13 and 14 depend in series from claim 12. Thus, claims 12-14 should now be in a form warranting allowable status. Claim 15 has been amended to depend directly from claim 12 with care being taken to make sure that claim 15 still has proper antecedent basis for the limitations contained therein. Claim 16 depends from claim 15 (and thus from claim 12 through claim 15). Accordingly, claims 15 and 16 should also be in a form warranting allowable status.

Claim 25 has been amended to include the requirements of claims 17, 22, 23 and 24, and to be placed in independent form. Accordingly, claim 25 should now be in a form warranting allowable status. Claim 33 has been amended to include the requirements of claims 26 and 32 and to be placed in independent form. Accordingly, claim 33 should now be in a form warranting allowable status. Claim 34 depends from claim 33 and thus benefits from the amendments made to claim 33 and should now also be in a form warranting allowable status.

Claim 35 has been amended to include the requirements of claim 26 and to be placed in independent form. Accordingly, claim 35 should now be in a form warranting allowable status.

In view of the foregoing, it is respectfully requested that the examiner pass this case to issue. If, upon consideration, the examiner believes further issues remain outstanding or new ones have been generated, the undersigned requests that the examiner call the undersigned to set up a personal or telephone interview with the undersigned to resolve any such remaining issues.

Respectfully Submitted:

  
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Date